

106TH CONGRESS
1ST SESSION

H. R. 3509

For the relief of Elizabeth McKenney Padgett.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 1999

Mr. BONIOR introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

For the relief of Elizabeth McKenney Padgett.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SURVIVOR BENEFIT PLAN ANNUITY FOR ELIZA-**
4 **BETH MCKENNEY PADGETT.**

5 (a) ANNUITY.—The Secretary of the Army, subject
6 to subsection (b), shall pay to Elizabeth McKenney
7 Padgett, of Harrison Township, Michigan, an annuity
8 under the military Survivor Benefit Plan pursuant to the
9 election of her former husband, Sergeant Major Widford
10 D. Padgett (United States Army, retired) under section
11 1405 of Public Law 101–189 (10 U.S.C. 1448 note) with-
12 out regard to the provisions of subsection (g) of that sec-

1 tion, such annuity to be effective as of the day after the
2 death of Widford D. Padgett on February 10, 1993.

3 (b) OFFSET.—Payment of the annuity referred to in
4 subsection (a) shall be subject to a requirement for pay-
5 ment to the Secretary of an amount equal to the total
6 amount of SBP premiums that would have been paid by
7 Widford D. Padgett for the period beginning on the effec-
8 tive date of the election referred to in subsection (a) and
9 ending on the date two years later, determined as if he
10 had lived to the end of that period and otherwise had con-
11 tinued to receive retired pay during that period. Any such
12 payment may be made directly by Elizabeth McKenney
13 Padgett or may be made by offset from amounts that
14 would otherwise be payable under the annuity under sub-
15 section (a). Any such payment shall be credited in the
16 same manner as SBP premiums.

17 (c) DEFINITIONS.—For purposes of this section:

18 (1) MILITARY SURVIVOR BENEFIT PLAN.—The
19 term “military Survivor Benefit Plan ” means the
20 program established under subchapter II of chapter
21 73 of title 10, United States Code.

22 (2) SBP PREMIUM.—The term “SBP premium”
23 means the reduction in retired pay required as a

- 1 condition of providing an annuity under the military
- 2 Survivor Benefit Plan.

